

REMARKS**INTRODUCTION:**

In accordance with the foregoing, claims 2 and 12 have been cancelled without prejudice or disclaimer, and claims 1, 4, 11, 14 and 26 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 3-11, and 13-47 are pending and under consideration.

REJECTION UNDER 35 U.S.C. §102:

In the Office Action, at page 2, claims 1-7, 11-16, 19, 20, and 25-27 were rejected under 35 U.S.C. §102(b) as being anticipated by Korean Patent 2002-140828 (This is believed to be a typographical error - it should read Japanese Patent 2002-140828 in accordance with Form 1449 and FIG. 21 of same. Hence, the response is directed to rejection of claims 1-7, 11-16, 19, 20, and 25-27 under 35 U.S.C. §102(b) as being anticipated by Japanese Patent 2002-140828.) This rejection is traversed and reconsideration is requested.

Claim 1 has been amended to include the features of claim 2. Claim 2 has been canceled without prejudice or disclaimer. Claim 4 has been amended to update antecedent basis.

Claim 11 has been amended to include the features of claim 12. Claim 12 has been canceled without prejudice or disclaimer. Claim 14 has been amended to update antecedent basis.

Claim 26 has been corrected to remove spaces from immediately before two semicolons.

It is respectfully submitted that Japanese Patent 2002-140828 teaches that coils 30f are separated from each other in a vertical direction (see FIG. 21). However, coils 30f are not facing each other with respect to the objective lens 2. In contrast, amended independent claim 1 of the present invention recites that the coil comprises a pair of first coils positioned on the blade in a first direction and facing each other with respect to the objective lens (see FIGs. 4 and 8), which is not taught or suggested by Japanese Patent 2002-140828. Amended independent claim 11, and independent claims 19 and 26 of the present invention, recite the positioning of the pair of first coils in similar fashion.

In order for a reference to anticipate a claim, the reference must teach each and every element of the claim (MPEP 2131). It is respectfully submitted that the court has held that an

anticipating reference "must disclose every element of the challenged claim and enable one skilled in the art to make the anticipating subject matter." PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566, 37 USPQ2d 1618, 1624 (Fed. Cir. 1996).

Anticipation requires a lack of novelty of the invention as claimed. The invention must have been known to the art in the detail of the claim; that is, all of the elements and limitations of the claim must be shown in a single prior reference, arranged as in the claim. See C.R. Bard, Inc. v. M3 Systems, Inc., 157 F.3d 1340, 1349, 48 USPQ2d 1225, 1229-30 (Fed. Cir. 1998); Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Hence, it is respectfully submitted that independent claims 1, 11, 19 and 26 are not anticipated under 35 U.S.C. §102(b) as being anticipated by Japanese Patent 2002-140828. Since claims 2-7, 12-16, 20, 25, and 27 depend from independent claims 1, 11, 19 and 26, respectively, claims 2-7, 12-16, 20, 25, and 27 are not anticipated by Japanese Patent 2002-140828 for at least the reasons independent claims 1, 11, 19, and 26 are not anticipated by Japanese Patent 2002-140828.

ALLOWABLE SUBJECT MATTER:

A. In the Office Action, at page 3, claims 8-10 17, 18, 21-24, and 28-31 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for his careful review of the claims. However, in view of the above amendments and arguments, claims 8-10 17, 18, 21-24, and 28-31, which depend from independent claims 1, 11, 19 and 26, respectfully, are submitted to be allowable for at least the reasons independent claims 1, 11, 19 and 26 are allowable.

B. In the Office Action, at page 3, claims 32-47 were allowed.

Applicants thank the Examiner for his careful review and acknowledgement that claims 32-47 are allowed.

CONCLUSIONS:

In accordance with the foregoing, Applicants respectfully submit that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the cited art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

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If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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